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11 Attorneys for PLAINTIFF
12 ROBERT HUNTER BIDEN

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
15 **WESTERN DIVISION**

16 ROBERT HUNTER BIDEN, an
17 individual,
18 Plaintiff,
19 vs.
20 PATRICK M. BYRNE, an individual,
21 Defendant.

Case No. 2:23-cv-09430-SVW-PD

Hon. Stephen V. Wilson

**PLAINTIFF ROBERT HUNTER
BIDEN'S RESPONSE TO
DEFENDANT'S OBJECTION AND
REQUEST FOR A CONTINUANCE
OF THE PRETRIAL CONFERENCE
AND TRIAL DATES**

Date: July 21, 2025
Time: 3:00 p.m.
Ct. No.: 10A

Complaint Filed: November 8, 2023
Trial Date: July 29, 2025

MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiff Robert Hunter Biden (“Plaintiff”) hereby responds to Defendant Patrick M. Byrne’s (“Defendant”) frivolous and baseless objection to Plaintiff’s purported violations of Pretrial Local Rule 16 and request for a continuance of the pretrial conference and trial dates. There is simply no valid basis for the Court to entertain Defendant’s filing, nor is there any basis to continue the trial or pretrial conference dates for a third time.

Defendant’s argument that Plaintiff’s change in his damages theory by no longer claiming any economic, reputational, or emotional distress damages prejudiced Defendant’s preparation of the case for trial is plainly absurd. Paring down and streamlining a case does not and cannot prejudice Defendant. If anything, it benefits Defendant in that there is less to prepare for in going to trial.

Further, Defendant has had sufficient time to address the streamlining of the case as follows: (i) Defendant has known since November 2024 when Plaintiff initially filed his opposition to Defendant’s Motion for Summary Judgment and in the initially filed Statement of Contentions of Fact and Law that Plaintiff was conceding being a public figure; and (ii) Defendant has known for nearly a month that Plaintiff was not going to seek economic, reputational, or emotional distress damages. Defendant is still claiming that his defamatory statements are true and Plaintiff still has to prove actual malice, so nothing has changed on those remaining material issues.

Defendant’s complaints about delays in filing the pretrial documents are likewise without merit as they were *de minimis* and nonprejudicial. Prior to both previous trial dates, Defendant’s counsel delayed the filing of joint documents such that they were not filed in accordance with the deadlines in the Local Rules, but nevertheless were ultimately filed and the parties were prepared for trial at that time. Most recently, when Plaintiff’s counsel initially sent Defendant’s counsel the joint witness list and exhibit list, Defendant’s counsel claimed he was unable to insert his portions of those documents until he saw the proposed jury instructions and verdict forms, which were

1 not due to be filed until two weeks later. Moreover, all such documents were previously
2 jointly prepared ahead of the two prior trial dates so Defendant's argument lacks any
3 validity or common sense.

4 Simply put, this is a side-show that Defendant and his counsel are attempting to
5 perform in the Court for the sole purpose of muddying the waters, delaying trial, and
6 delaying justice. The Court should not entertain Defendant's filing or any of the
7 frivolous and frankly ridiculous arguments made therein, and the pretrial conference
8 and trial dates should remain set as they currently are.

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10 Dated: July 15, 2025

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12 By: /s/ Zachary C. Hansen

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